

**Enforcement & Resource Protection Committee
Regular Meeting
April 27, 2005 - 2:00 p.m.
Tribal Office Board Room**

1. Call to Order & Roll Call-

Committee Chairman called the meeting to order at 2:03. Those present: Tony Warrington, Mark Waukau, Bill Kussel, Al Fowler, Barb Nelson, Gary Schuettpelz, Lynette Miller, Trilby Beauprey-McIntosh and George Dillenger was present for Bryan Lepscier. Also present for the meeting was, Ami O'Kimosh, Randy Chevalier, Warren Warrington, Rita Keshena, John Wilhelmi and David Wynos.

2. Moment of Silence-A moment of silence was observed.

3. Review Minutes Dated March 16, March 23 and March 31, 2005-

Motion made by Barb Nelson to approve the minutes dated March 16, March 23 and March 31, 2005. Motion was seconded by Gary Schuettpelz. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-abstention (Trilby Beauprey-McIntosh). Motion carried.

Motion made by Barb Nelson to move to number five of the agenda. Motion was seconded by Tony Warrington. All those in favor of the motion signify by saying aye, 9-for, 0-opposed. Motion carried.

5. Discuss/Action on Committee Bylaws-

Committee reviewed the bylaws and decided they would discuss them further at the next meeting.

Motion made by Tony Warrington to go back to number four of the agenda. Motion was seconded by Lynette Miller. All those in favor of the motion signify by saying aye, 9-for, 0-opposed. Motion carried.

4. Election of Officers-

Chairman Besaw opened the floor for nominations for committee Vice-Chairman.

Motion made by Lynette Miller to nominate Tony Warrington as Vice-Chairman. Motion was seconded by Bill Kussel. All those in favor of the motion signify by saying aye, 9-for, 0-opposed. Motion carried.

Motion made by Tony Warrington to nominate Lynette Miller for Vice-Chairman. Motion was seconded by Barb Nelson. All those in favor of the motion signify by saying aye, 9-for, 0-opposed. Motion carried.

Motion made by Gary Schuettpelz to close nominations. Motion was seconded by Al Fowler. All those in favor of the motion signify by saying aye, 9-for, 0-opposed. Motion carried.

Tony Warrington declined the nomination for Vice-Chairman. Lynette Miller is the Committee Vice-Chairperson by vote of 8-for, 0-opposed, 1-abstention (Lynette Miller).

Chairman Besaw opened the floor for nominations for Secretary.

Motion made by Tony Warrington to nominate Barb Nelson for Committee Secretary. Motion was seconded by Lynette Miller. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-abstention (Barb Nelson). Motion carried.

Motion made by Mark Waukau to close nominations. Motion was seconded by Tony Warrington. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-abstention (Barb Nelson). Motion carried.

Barb Nelson is the Committee Secretary.

6. Review Monthly Reports-

Committee reviewed the monthly reports that were submitted. No action was taken.

7. BIA-LES Standards Review of Force Chapter 1 Vol. 5 sections 1-4-

Committee went into a lengthy discussion regarding the Menominee Tribal Police Department and the use of force. The discussion turned into discussing the recent incident where the Tribal Police were trying to arrest a tribal member and the Menominee County Sheriff's Department was called to assist and the County officer used a taser gun to apprehend the person. Community members are concerned because the Menominee Tribal Legislature never gave approval for use of taser guns.

Mark stated that according to the BIA policies and procedures the taser guns are proper weapons to use and are much safer to use than a gun. Mark stated that all the police officers have had training.

Committee members would like to know what rules the police departments follow if the County Officers have permission to use the tasers and the Tribal Police don't. Currently there isn't any Memorandum of Understandings between the Tribe and County regarding weapons.

Regarding the policy, the committee would like the Police Department to provide a policy that everyone can understand.

For the next meeting committee members would like to see some research on the affects of the taser guns with certain medical conditions. Committee would also like clarification on whether the taser is a mandated weapon according to the BIA. At the next meeting Mark Waukau stated that he could get the taser training to come in and give the committee a presentation.

Motion made by Mark Waukau that Tribal Administration draft a letter to the BIA on clarification on whether the taser is a mandated weapon. Motion was seconded by Bill Kussel. All those in favor of the motion signify by saying aye, 9-for, 0-opposed. Motion carried.

8. Cigarette Ordinance 79-04 Update-

At the last meeting Roberta Reiter and Bernard Vigue were going to work with the Attorneys on revising the ordinance and look into bidding out the tobacco contract. The ordinance will be discussed at the next meeting.

9. Alcohol Task Force Update-

Chairman Besaw informed everyone that they are meeting and should have an update for the next meeting.

10. Brownsfield Update/Gary Schuettepelz-

Gary informed the committee that he is going to request use of the Brownsfield funds for the clean up of contaminated areas such as the Old Keshena Dump, MTE and the old Boivin's store in Neopit. Gary doesn't think any of the sites will be eligible for use of the funds. No action was taken.

11. CISCO Discussion-

Bill stated that he did meeting with the CISCO staff and they were supposed to get back to him informing him on what they were going to do to fix the problems but still haven't contacted him. Rob Orcutt is looking to see what legal ramifications if any the Tribe can pursue.

12. Nuclear Waste Repository Update-

The committee made a motion at the last meeting for Doug Cox to send a letter and he did. Gary Schuettepelz thinks it take a couple of months to get a response. In the meantime Chairman Besaw stated that the committee may want to look at the old resolutions the tribe passed regarding nuclear waste to see if they need to be updated. Chairman Besaw also informed the committee that Lew Boyd and Doug Cox will be bringing the issue up at the Wisconsin Citizen Action Committee meeting in May.

Chairman Besaw stated that the issue will stay on the agenda and he will keep the committee updated.

13. Junk Car Ordinance 87-19-

Lynette Miller was excused at 4:45 p.m.

Committee members reviewed the ordinance and the changes that were made at the last meeting. Mark Waukau informed the committee that the Police Department will be dedicating 320 hours per year (160 in the spring and 160 in the fall) in issuing junk car citations.

Committee would like to find a way to let the community know that the ordinance has been changed and that it will be enforced. A article or notice may appear in the tribal news.

Motion made by Gary Schuettpelz to approve the amended Ordinance 87-19 Junk Car/Junk Mobile Homes with corrections and send to Menominee Tribal Legislature for 1st Consideration. Motion was seconded by Trilby Beauprey-McIntosh. All those in favor of the motion signify by saying aye, 7-for, 0-opposed, 1-absent, 1-abstention (Mark Waukau). Motion carried.

14. Other Business-

No other business was discussed.

15. Adjournment-

Motion made by Trilby Beauprey-McIntosh to adjourn. Motion was seconded by Barb Nelson. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-absent. Motion carried.

Meeting adjourned at 5:15 p.m.

Respectfully Submitted by
Legislative Staff Services